

May 22, 2024

VIA ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>05/23/2024</u>
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Re: *DoorDash, Inc. v. City of New York*, No. 21 Civ. 7695-AT-SLC
Portier, LLC v. City of New York, No. Civ. 10347-AT-SLC
Grubhub Inc. v. City of New York, No. 21 Civ. 10602-AT-SLC

Dear Judge Torres:

We write on behalf of all parties in the above-referenced consolidated cases to respectfully request a further 2-week extension of the schedule for Plaintiffs' forthcoming omnibus motion to seal or redact exhibits accompanying the parties' summary judgment motions (the "Omnibus Motion to Seal") and a 4-week extension for the Defendant City of New York's (the "City") response thereto to allow the parties to meet and confer to narrow the scope of any disputes. The parties believe that the requested extension would allow for a more fulsome discussion of the issues to be raised in the Omnibus Motion to Seal.

On May 1, 2024, the Court granted in part the parties' joint-motion to extend the deadline for Plaintiffs' Omnibus Motion to Seal and the City's response thereto, which granted the Plaintiffs two additional weeks to submit their motion to seal, but denied the City's request for two additional weeks to respond to the motion. Under the current schedule, Plaintiffs' Omnibus Motion to Seal will be filed this Friday, May 24, 2024, and the City's response will be filed on June 14, 2024. *See* ECF No. 191. The parties jointly request that these deadlines be extended so Plaintiffs' Omnibus Motion to Seal will be filed by **June 7, 2024**, and the City's response will be filed by **July 12, 2024**.

On May 14th, the City inquired as to whether Plaintiffs intended to meet and confer with Defendant regarding the motion to seal as was referenced in the earlier joint letter motion to extend. Plaintiffs indicated that they did intend to do so and during the evening of May 16th, Plaintiffs provided the City with appendices detailing and categorizing the 684 exhibits that they plan to file under seal or redact. These appendices outlined, in part, a significant number of redactions that had not previously been shared with the City to deposition transcripts and other documents. The City then told the Plaintiffs that the City would need an adequate amount of time to review these newly proposed redaction and sealing requests before it could productively meet and confer.

While Plaintiffs are prepared to file their motion on Friday, if necessary, both parties agree that this extension is necessary to facilitate a more productive conversation that has the potential to narrow the number of disputes before the Court. The history of this matter bears this out: before filing proposed redactions to the parties' Rule 56.1 Statements of Fact (ECF Nos. 122 and 132),

the parties engaged in multiple, hours-long, conferrals during which numerous disputes were eliminated. Along with affording the parties additional time to meet and confer, the City represents that members of its litigation team will be away from the office during the week of the July 4th holiday and that the July 12th response date is needed to afford the City a sufficient amount of time to prepare a response to Plaintiffs' motion.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Anne Champion

Anne Champion

Counsel for Plaintiff DoorDash, Inc.

/s/ John Quinn

John Quinn

Counsel for Plaintiff Portier, LLC

/s/ Karen B. Selvin

Karen B. Selvin

Counsel for Defendant City of New York

/s/ Joel Kurtzberg

Joel Kurtzberg

Counsel for Plaintiff Grubhub Inc.

GRANTED.

SO ORDERED.

Dated: May 23, 2024
New York, New York



ANALISA TORRES
United States District Judge